

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UMG RECORDINGS, INC., et al.,

Plaintiffs,

vs.

RCN TELECOM SERVICES, LLC, et al.,

Defendants.

No. 3:19-cv-17272-MAS-ZNQ

**DECLARATION OF EDWARD F.
BEHM, JR. IN SUPPORT OF RCN'S
MOTION TO DISMISS**

I, Edward F. Behm, Jr., declare as follows:

1. I am licensed to practice law in the State of New Jersey and am a partner at the law firm of Armstrong Teasdale LLP. I am counsel of record for Defendants in this matter. I submit this declaration in support of the Motion to Dismiss Plaintiffs' Amended Complaint by Defendants RCN Telecom Services, LLC; RCN Telecom Services of New York, L.P.; RCN Capital Corp.; RCN Telecom Services of Philadelphia, LLC; RCN Telecom Services of Massachusetts, LLC; Starpower Communications, LLC; RCN Management Corporation; RCN ISP, LLC; RCN Digital Services, LLC; RCN NY LCC 1; RCN Telecom Services (Lehigh), LLC; RCN Telecom Services of Illinois, LLC; 21st Century Telecom Services, Inc.; and RCN Cable TV of Chicago, Inc. (collectively, "RCN"). I have personal knowledge of the facts set forth below and if called upon and sworn as a witness, I could and would competently testify to them.

2. Attached as Exhibit 1 is a compilation of true and correct copies of emails received by RCN, at the email address abuse@RCN.com, which indicate that they were sent from the email address dmca@digitalrightscorp.com.

I declare under penalty of perjury that the foregoing is true and accurate.

Executed on January 21, 2020 in Philadelphia, Pennsylvania.

/s/Edward F. Behm, Jr.
Edward F. Behm, Jr.